

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 15570 of 2007(C)

PETITIONER:

**R.SUKUMARAN NAIR, RESERVE CONDUCTOR
(RTD), NEYYATTINKARA DEPOT, RESIDING AT
CHANDRA BHAVANAM, NJALIKONAM, ARAMALA P.O.,
THIRUVANANTHAPURAM.**

**BY ADV. SRI.MURALI PURUSHOTHAMAN
SRI.DEEPU LAL MOHAN**

RESPONDENTS:

**1. KERALA STATE ROAD TRANSPORT CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
TRANSPORT BHAVAN, THIRUVANANTHAPURAM.**

**2. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO GOVERNMENT, DEPARTMENT OF
TRANSPORT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.**

R1 BY ADV. SHRI JOHNSON P. JOHN.

**R2 BY SR. GOVERNMENT PLEADER (SHRI K.J. MOHAMMED
ANZAR)**

**THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

K. M. JOSEPH, J.

W.P.C. NO. 15570 OF 2007 C

Dated this the 25th July, 2007

JUDGMENT

Petitioner had provisional service as Conductor and his service was later regularised as per Ext.P1 Government Order. Petitioner relies on the decision of this Court in Idicula Abraham v. KSRTC & Others (2005 (2) KLJ 602) to contend that he is entitled to count his provisional service rendered upto 1.10.1994 for the purpose of pensionary benefits. It was not being counted by the respondent KSRTC. Hence this Writ Petition. Heard the learned standing counsel appearing on behalf of the respondent Corporation also. There is no serious dispute that the petitioner is entitled to count the provisional service upto 1.10.1994. Accordingly the Writ Petition is disposed of directing the first respondent to count the provisional service of the petitioner in the Corporation upto 1.10.1994 along with his regular service for the purpose of granting the benefits due to him. An order will be passed in this regard within a period of six weeks from

the date of production of a copy of this Judgment. The monetary benefits due to the petitioner on the basis of the decision taken as aforesaid, shall be disbursed to him within a period of three months from the date of production of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.